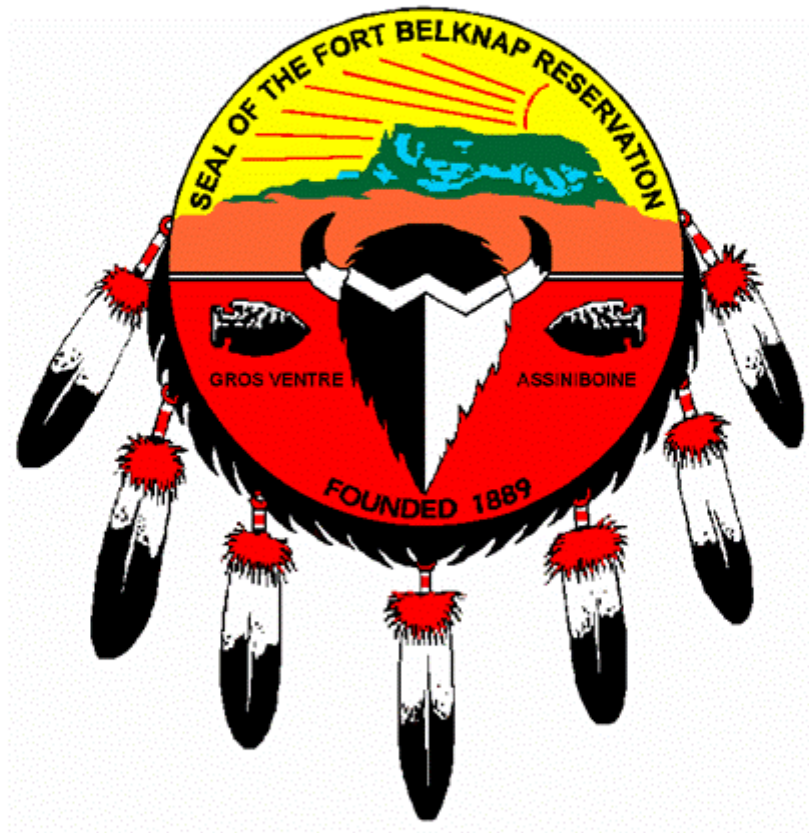


FORT BELKNAP INDIAN COMMUNITY COUNCIL
NONPOINT SOURCE
MANAGEMENT PLAN
December 13, 2001



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1.0 NONPOINT SOURCE MANAGEMENT PLAN

1.1 OVERVIEW

Section 319 of the Clean Water Act (CWA) has provided the Fort Belknap Indian Community with guidelines for correcting and preventing human induced nonpoint source water quality problems. “Management of Nonpoint Sources of Pollution”, Section 319 was added to the CWA in 1987 for tribes to address Nonpoint Source Pollution through the Clean Water Act passage “Water Quality Act”, PL-100-4, on February 1987. Section 319 requests that tribes prepare two documents:

- A Nonpoint Source Assessment Report identifies tribal water bodies impacted by nonpoint source pollution.
- A Nonpoint Source Management Plan to address the problems identified in the Assessment Report.

The Fort Belknap Nonpoint Source Pollution (NPS) Assessment Report is complete and has been submitted and can be used to identify drainages and water bodies impacted from human introduced nonpoint sources of pollution, also it can be used to determine priority NPS projects.

The Fort Belknap NPS Assessment Report, Section 3.2 “Reservation Waters” discusses nonpoint sources water quality problems. The Fort Belknap NPS Management Plan identifies Fort Belknap’s existing programs and authority for addressing nonpoint source pollution problems; identifying the general Best Management Practices (BMP’s) to address the Reservation’s nonpoint pollution categories; suggests new initiatives to increase the effectiveness and improve coordination of nonpoint control efforts;

- proposes specific watershed demonstration projects for individual streams
- identifies estimated costs and sources of funding to support implementation of BMPs and nonpoint control measures.

The Fort Belknap Indian Community Council in cooperation with the United States Environmental Protection Agency have initiated a Tribal NPS Pollution program to provide for the protection and restoration of Tribal waters. In addition to the Clean Water Act’s goals of being swimmable and fishable, the Tribe will protect, maintain, and improve Reservation water quality and provide for the beneficial uses of Tribal waters.

The Fort Belknap Community Council has an established Environmental office that has several programs that monitor and control various pollution sources on tribal lands. Additional control over nonpoint source pollution through implementation of the NPS program will add to the Tribe’s commitment to improving and maintaining water quality for all reservation waterways as well as for groundwater resources.

Public participation for this program will be encouraged through;

- community meetings,
- local radio programming,

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- newspaper articles, pamphlets,
- volunteer individuals and groups, and
- public school educational programs.

There will also be a public comment period when this document is completed to gather input on projects, plans, and any other pertinent information concerning the NPS Program.

This document will list all significant sources of NPS categories and subcategories of pollution, and the BMP's that will be used to control specific nonpoint sources of pollution. Certification of legal authority that the tribe has the authority to implement a management plan will also be stated. A schedule of the program's annual milestones and plan implementation will be addressed. A list of funding sources from federal and any other sources not including the section 319 program will be discussed, and finally, the section 319 NPS program will review programs and activities of federal agencies to determine if their programs are in compliance with the tribal NPS program.

2.0 319 MANAGEMENT PLAN

2.1 Introduction

The basic characteristics of NPS pollution is generally associated with precipitation and runoff, and is general associated with mans use of the land, which makes it difficult to determine impacts from nonpoint source pollution. Local watershed nonpoint pollution deterioration impacts are usually individual, insignificant and gradual, but collectivity and cumulatively significant, which make it difficult to determine impairment to beneficial uses.

The nondramatic nature of NPS pollution, particularly sedimentation explains why control effects have lagged. The understated nature of NPS pollution presents major difficulties to the entities charge with its monitoring and managing. On the Fort Belknap Indian Reservation most NPS pollution is caused by agriculture and hydromodification. Construction and urban nonpoint sources are minor components of the total nonpoint source on the reservation.

Fort Belknap Reservation's NPS Pollution Management Plan will emphasize prevention to minimize future rehabilitation needs. The prevention portion of the plan will rely heavily upon education as detailed in Section 3.2. Also, in addition to education, the Management Plan will emphasize technical assistance and financial incentives for land-users to voluntarily implement BMP's to prevent or mitigate impairment. BMP's are identified and listed in the Nonpoint Source Pollution Assessment Report on pages 36-38 Table 9. The goal through monitoring and assessments on Fort Belknap's impaired water bodies is to achieve Water Quality Standards.

The authority of the **Fort Belknap Indian Community Tribal Water Quality Code, 1991** will be used to control or reduce NPS pollution also, the Fort Belknap

Environmental Protection Department is developing a ordinance, **“Fort Belknap Aquatic Resource Protection Ordinance”** in draft form, to control significant quantifiable NPS pollution through the issuance of Tribal water use permits.

Education is a major component of the program in order to achieve voluntary compliance,

- Range Tours,
- Brochures,
- Workshops,
- and video will be made available to the producer.

2.2 Management Program Summary

The Fort Belknap Environmental Protection Program (FBEPP) with concurrence from the Fort Belknap Indian Community Council (FBICC) through resolution is responsible for administering delegated federal water pollution control programs. For administering purposes, the FBEPP reports to the Fort Belknap Chief Administrator Officer (CAO) for all business regarding tribal water compliance issues. The CAO who makes preliminary determinations on issues and refers them to FBICC for final approval.

For the NPS program, a NPS task force will be set up consisting of Fort Belknap Irrigation System water users and FBICC Natural Resource key personal which will make recommendations to the FBICC for funding and approval. The task force will meet annually to review project proposals and make recommendations to the FBICC.

After completion of NPS Assessment/Management Plan a NPS Coordinator will be employed to oversee future NPS activities and will be administrated through the FBEPP.

The NPS Management Plan has two parts:

- The General Management Program includes administration, assessments, monitoring, and community education.
- The Specific Management Programs for agriculture, hydromodification and Silviculture identify BMP's, prioritize impaired streams, and propose demonstration projects to implement BMP's. Milestones have been established for the overall General Management Program. Milestones describe project accomplishments, which should be achieved by specified target date.

2.2.1 Administration

Administration includes coordinating the overall General Management Program, the Specific Management Programs for agriculture, hydromodification, and silviculture; providing interagency coordinator; periodically updating the overall plan; and obtaining the necessary funding for programs. The Nonpoint Source Pollution Coordinator will be responsible for these activities. Assisted by the NPS task force and FBICC.

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2.2.2 Assessments:

Knowledge of nonpoint source pollution problems on the Fort Belknap Indian Reservation is a combination of evaluation studies and professional judgment. Much of the information was and is gathered by the FBEPP 106 Water Quality. FBEPP is using EPA's Rapid Bio-assessment Protocols for Use in Wade-able Stream and Rivers (RBP's) to evaluate stream segments. RBP's evaluates two different types of stream characteristics; **low gradient** and **high gradient**, which suit Fort Belknap Indian Reservation streams classes; mountain and prairie. The information obtained is amenable to the Microsoft Excell program and is easily updated. The assessment is updated every sampling season; March through September.

2.2.3 Monitoring

The FBEPP has extensive chemical, field and biological monitored studies from 1994 to present. These studies are the only existing information on several streams located on the Fort Belknap Indian Reservation.

The Management Program Milestones for Administration Assessments, and Monitoring are as follows:

MANAGEMENT PROGRAM MILESTONES

<u>ACTIVITIES</u>	<u>OUTPUT</u>	<u>ENDYEAR</u>
Submit final NPS Management/Assessment Plans to EPA	Final Assessment & Management Plan	12/01/01
Request 319 Grant from EPA for implementation of Management Plan	Grant Application	03/01/02
Appoint NPS Task Force and convene to review program plans and milestones.	2 meeting	03/25/02 04/25/02
Hire NPS Coordinator	Individual Hired	05/01/02
Submit bi-annual Progress Reports.	2 per yr.	Bi-annual
Update Management Plan as needed review with NPS Coordinator, Task Force and FBICC.	VAR	Ongoing

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Convene NPS Task Force to review projects and program and set priorities for next fiscal year.

1 meeting

07/01/02

Incorporate priorities into workplan for FBICC 's NPS program and submit to funding agencies (Tribe, NRCS, USGS, BIA, EPA)

1 Workplan/Grant
1st year

Ongoing
9/30/01
Annually

Submit Annual Report to EPA

1

11/01/02

Education and caterogy milestones are listed separately

2.2.4 Education

Voluntary cooperation by ranchers and wheat producers is critical to the NPS program therefore the FBEPP will develop a education program. The more producers who know and understand causes, effects and solutions to Nonpoint source pollution are likely to be part of the solution. An education program is designed to promote voluntary corrective action by producers and businesses to prevent or reduce future problems by increasing general public awareness.

FBEPP will initiate a education program which will include a variety of materials targeted specifically for Indian owned producers and non-enrolled leaser on the Fort Belknap Indian Community. Pamphlets, brochures and video will be made available in major tribal buildings throughout the reservation. The Bureau of Indian Affairs (BIA) and Fort Belknap Natural Resource Department (FBNRD) will have access to these materials for distribution to new permittees.

Range tours of demonstration sites will be conducted by FBEPP and Natural Resource Conservation District (NRCD) for the Milk River Irrigation Committee (MRIC), Fort Belknap Stock Growers Association (FBSGA) and other individual producers. Riparian protection and alternate stock water source education will be the primary focus of these range tours.

A slide show presentation

EDUCATION MILESTONES

ACTIVITIES

OUTPUT

DATE

AGRICULTURE

Develop Riparian/Sediment

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demonstration site on Peoples Creek near Wildlife Refuge for Water Quality and Wetland impacts from grazing.	1	Demo Site 1/02-9/02
Develop brochure for public assimilation.	Public education	03/01/02
Display and brochure mailouts, presentations at fairs, and agriculture organizational meeting.	VAR	ONGOING
Range Tours of demonstration sites different conservation practices which, will protect water quality and wetlands	2/yr.	ONGOING
Implement winter grazing/winter feeding demonstration site on Peoples Creek as part of stream wide and wetlands.	1	06/25/02
Update displays with monitoring information as needed.	VAR.	ONGOING

HYDROMODIFICATION

Draft a fact sheet on permitting procedures from Army Corp. of Engineers for channel alteration on Fort Belknap disseminate at fairs and agriculture meetings.	1	5/01/02
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SILVICULTURE

EPA NPS Pollution Pointers Fact Sheets disseminate at fairs, agriculture meetings and display stand in tribal buildings.	VAR.	ONGOING
Section 319 "Forestry Management Measures" will be used as part of Education.	VAR	ONGOING

2.3 MANAGEMENT PROGRAM PRIMARY NPS POLLUTION

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2.3.1 Agriculture

Agriculture operations is the number one industry on the Fort Belknap Indian Reservation and is the chief land use on nearly 74% of Fort Belknap. Livestock grazing and irrigated and non-irrigated crop production degrade stream banks and add sediment, fertilizers, pesticides, herbicides, and salts to waterways.

The designated NPS Management agency for Fort Belknap is the National Resource Conservation Service (NRCS), with a district office located in the FBICC complex and Fort Belknap has used NRCS standard conservations methods and practices on some projects in the summer of 2000.

Appropriate BMP's will be selected on a site-specific basis for each agriculture activity producing NPS pollution. Application on agricultural BMP's for NPS water pollution control on Fort Belknap will be voluntary.

AGRICULTURE MILESTONES

<u>ACTIVITIES</u>	<u>OUTPUT</u>	<u>DATE</u>
Complete winter grazing/winter feeding demonstration on Peoples Creek.	1 Demo	06/02
Monitor water quality and RBP's	VAR.	10/02
Complete annual report	1/yr.	11/02
Complete additional BMP's on Peoples Creek Drainage by identifying cooperators applicable BMP's and funding sources.	3 (max)	10/02
Implement Grazing BMP's on Range Unit on Peoples Creek Drainage	4 BMP's	10/02
Monitor Peoples Creek for water quality changes.	VAR	4-9/02

2.3.2 Silviculture

Past constructed roads location that are not properly maintained to prevent erosion, is one of the primary sources of siltation in the Little Rocky Mountains. In the Mission Canyon 65% of the roads were constructed near Little Peoples Creek, North Fork of Little Peoples Creek, King Creek and South Fork of Little Peoples Creek or crosses through these channels causing erosion. The reclaimed sections on King Creek have caused heavy sedimentation near the junction of South Big Horn and Little Peoples Creek and

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are migrating downstream. In the White Cow Canyon area, BIA Forestry graders widened roads and causing sediment loads into stream.

The Fort Belknap Forest Management Plan was approved in 1993 and the authority designated for the Fort Belknap Indian Reservation Tribal Timber Reserve is the BIA's, Forestry Department under *Title 25-Indians, Chapter 33; National Indian Forest Resources Management*. The Fort Belknap Forest Management Plan does not address Forestry BMP's, the FBEPP Water Quality Coordinator, NPS Coordinator and Wetland Coordinator will ask to assist in the 10 year review, which is scheduled for 2003 to include Forestry BMP's.

Appropriate Forestry BMP's will be selected on a site-specific basis for each silviculture activity producing NPS pollution. Application on BMP's for silviculture NPS water pollution control on Fort Belknap will be voluntary.

SILVICULTURE MILESTONES

<u>ACTIVITIES</u>	<u>OUTPUT</u>	<u>DATE</u>
Cooperative study with Fort Belknap College on sedimentation in Little Rocky Mountain's streams	1 meeting	2/02
Monitor North Fork of Little Peoples Cr. for sedimentation	6/yrly	3-9/02
Complete sedimentation report	1 report	10/02
10 year review of Forestry Management Plan participation.	Pending date	2003

2.3.3 Hydromodification

This nonpoint source category includes streambank/stream channel alterations and construction activities, flow regulation/modification, and construction and operation of dams.

The main-stem of Peoples Creek on the Fort Belknap Indian Reservation and in the Bear Paw Mountains have several small dams and system sprinkler systems that draws large quantities of natural flow from the stream. During mid to late summer seasons Peoples Creek is virtually a intermittent stream.

The FBEPP personal will monitor Peoples stream flow during peak flow seasons to assess flow loss using EMAP protocols. The United State Geological Service has a stream gauge station near U.S. Route 66 which can be utilized to determine flow lose.

BMPs for hydromodification often relate directly to other categories of nonpoint source pollution. For example, unchecked grazing near streams impacts riparian zones and causes stream bank/bottom deterioration from sedimentation loading.

HYDROMODIFICATION MILESTONES

<u>ACTIVITIES</u>	<u>OUTPUT</u>	<u>DATE</u>
Monitor stream flow	6/yrly	3-9/02
Submit annual report	1	11/02

3.0 EXISTING AUTHORITIES AND PROGRAMS TO ADDRESS NPS POLLUTION

3.1 Federal Laws

3.1.1 Federal Clean Water Act

In 1972, Congress passed the Federal Water Pollution Control Act Amendments (PL 92-500). The Clean Water Act (CWA) provided a comprehensive national framework for water pollution control and water quality management for the United States. The goal of the Act was to restore and maintain the integrity of our nations waters, and to provide water quality sufficient for “the protection and propagation of fish, shellfish and wildlife, and provision of recreation in and on water.” The Act was amended again in 1977, 1981 and 1987 and 1995.

Amendments to the CWA added in 1981 provided for federally recognized Indian Tribes to carry out water quality management planning activities. This amendment allowed tribes to receive federal funding to help carry out basic water quality management planning activities with 208 funds.

Activities conducted by the Gros Ventre and Assiniboines Tribes in accordance with 208 were:

- A full assessment of water quality including physical, chemical, and biological properties of the major streams on the Fort Belknap Indian Community.
- Assessment of major watersheds.
- A quality assurance plan

The statewide 208 Water Quality Management Plan established the basic framework consisting of designations of the U.S. Forest Service (USFS) and the Bureau of Land Management (BLM) as the management agencies for nonpoint source pollution control on federal lands; and designations of the county soil conservation districts as the lead management agencies for nonpoint source pollution control on non-federal lands.

The Gros Ventre and Assiniboine Tribes of the Fort Belknap Indian Community has developed a Mutual Agreement with the USDA and a Cooperative Working Agreement with Natural Resource Conservation Service (NRCS) to assist Fort Belknap with cost sharing and technical assistance on range projects.

Section 303 Section 303 of the CWA requires that EPA review and approve Water Quality Standards (WQS) to assure the WQS are consistent with the requirements of the CWA. WQS are provisions of local, state, or federal law, which consists of a designated use or uses for the water of the United States, and water quality criteria to maintain and protect such uses. WQS must protect public health or welfare, enhance the quality of water and serve the purposes of the CWA. Accordingly, CWA influence and affect all water pollution control programs.

EPA guidance indicated that the relationship between nonpoint source pollution control and water quality standards should be based upon three basic principles:

- BMP's must be designed to meet WQS therefore, BMP's are recognized as the primary mechanism to achieve WQS. It is intended that proper installation of tribal approved BMP's will achieve WQS. For proposed nonpoint source activities, BMP's designed and implemented in accordance with a tribal approved process will normally constitute compliance with the CWA. Once BMP's have been approved by the tribes the, BMP's become the primary mechanism for meeting WQS. Proper installation, operation and maintenance of tribal approved BMP's are presumed to meet a landowner's or manager's obligation for compliance with applicable WQS.
- BMP's effectiveness must be demonstrated. Once the BMP's have been installed and applied and sufficient time has elapsed to establish the controls and monitor their effectiveness, attainment or maintenance of WQS and other water quality goals should be verified. If subsequent evaluation indicates that approved and properly implemented BMP's are not achieving WQS for appropriateness, or both. Through the interactive process of monitoring and adjustments of BMP's or WQS, it is anticipated and expected that BMPs will lead to achievement of WQS.
- If BMPs cannot adequately protect and maintain WQS, the tribes must either revise the BMP's to ensure protection and maintenance of WQS or revise the standards or reevaluate the activity. If WQS are not met, then the tribes may require the NPS controls be modified or the practice causing the NPS pollution cease.

It should also be noted that EPA's regulation to implement, Section 303 (40 CFR Part 131) require that the tribes adopt an anti-degradation policy. Anti-degradation policy requires that:

1. Existing instream uses and the levels of water quality necessary to protect the existing uses shall be maintained and protected.

2. Where the quality of waters exceed levels necessary to support propagation of fish, shellfish, and wildlife, recreation and cultural uses in and on the water, the quality shall be maintained and protected unless the tribes find that after full satisfaction of the intergovernmental coordination that allowing lower water quality is necessary to accommodate important economic or social development in a area which waters are located. In allowing such degradation of water quality, the tribes shall assure water quality adequate to protect existing uses fully. Further, the tribes shall assure that there shall be achieved the highest statutory and regulatory requirements for all new and existing points sources and all cost effective and reasonable BMP's for NPS control;
3. Where high quality water constitute and Outstanding National Resource, such as waters of National and State parks, and wildlife refuges and waters of exceptional recreational or ecological significance, that water quality shall be maintained and protected.

Nonpoint pollution activities are not exempt from the anti-degradation policy. Tribes are required to assure that the highest statutory and regulatory requirements for all new and existing points sources and all cost effective and reasonable BMPs for nonpoint source control shall be achieved. If a particular activity will degrade water quality even after all these measures are applied, tribes have to;

- Identify proposed water quality degradation (where and to what degree water quality will be lowered);
- Determine that the degradation is necessary to accommodate important social or economic development.

Section 314 Section 314 of the CWA requires the tribes to submit a biannual on water quality in lakes on the reservation. These reports are to identify: eutrophic conditions of tribal lakes/reservoirs; processes to control sources of pollution in such waterbodies; procedures in conjunction with appropriate federal agencies, to restore the quality of such waterbodies; to mitigate effects of livestock impairments to on water use.

Funding is authorized to make grants to tribes that have submitted satisfactory lake water quality reports to control pollution and restore and protect lakes. It is not known if funding would be appropriate to address NPS pollution problems affecting reservoirs on the FBIC.

Section 319 1987 Water Quality Act passed by Congress on February 1987 amended the CWA to add a new Section 319, entitled "Management of Nonpoint Sources of Pollution". Section 319 requires each tribe to develop a comprehensive statewide NPS Pollution Assessment report and submit a management program for control of NPS pollution on FBIC.

The assessment report should identify reservation waters, which without additional action to control nonpoint sources of pollution, cannot reasonable be expected to attain or

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maintain applicable WQS or the goals or requirements of the CWA. The assessment should also identify categories and subcategories of nonpoint sources that contribute pollution to identified waters, and include descriptions of tribal management processes and control programs.

The nonpoint management programs are to consist of; Best Management Practices, to reduce pollution loading from each category and subcategory of NPS pollution identified in FBICC NPS Assessment Report; specific management programs; a schedule for program implementation; certification of necessary legal authorities; and sources of funding to support implementation. The Assessment Report and the Management Program must be submitted to EPA, which has 180 days to approve or disapprove the report or program.

Upon approval of the Assessment Report and the Management Program, tribes are eligible for Section 319 grants from EPA to assist in implementing the Management Program. The federal share of implementation cost includes cost of implementing regulatory or non-regulatory programs for enforcement, technical assistance, financial assistance, education, training, technology, transfer and demonstration projects. Monitoring which is done to support design of watershed-level control programs or to evaluate a particular implementation project is eligible. General assessment and planning activities as well as administration costs are not considered implementation. Grants may also be provided for protecting groundwater quality with the maximum federal share set at 75%.

EPA has been directed to give priority in making 319 implementation grants to nonpoint projects which will control particularly difficult nonpoint source problems, implement innovative controls methods or practices, control interstate nonpoint source pollution, or carry out groundwater quality protection activities.

Each tribe is required to submit an annual report to EPA and the Administrator of EPA is required to report annually to Congress on the program.

Section 401 Section 401 of the Federal CWA requires that any applicant apply for a federal license or permit for the conduct of any activity which results in a discharge into the navigable waters of the U.S. The 401 certification authority is administrated on the FBIC by EPA. Section 401 provides EPA with authority to assure that federally permitted or licensed activities, which can result in NPS pollution, do not violate Tribal WQS and water quality criteria necessary to protect those uses.

Section 404 Section 404 of the Federal CWA establishes a permit for the discharge of dredged or fill materials into the waters of the U.S. The U.S. Army Corps of Engineers (COE), Omaha District, administers this program on the FBIC. Discharge of dredged or fill materials are frequently associated with nonpoint source-causing activities occurring in or adjacent to streams and wetlands. The 404 permit program allows a mechanism to require implementation of appropriate BMPs for as a condition of the permit. The program also allows opportunity for consultation among COE, EPA USFWS, and

Conservation Districts regarding appropriate BMPs. Discharge of dredged or fill materials into wetlands are regulated under 404 program. This serves as a significant means for protecting the wetlands, thus preserving their important function in improving water quality through assimilation of nutrients and retention of sediments.

3.1.2 USDI Bureau of Land Management

The BLM

4.0 BEST MANAGEMENT PRACTICES (BMPs) IDENTIFIED TO CONTROL SPECIFIC NONPOINT SOURCES

Utilization of BMPs as they apply to the Tribal Nonpoint Source Pollution Control (319) program is voluntary and success of the program will depend upon cooperation between NPS project coordinators and operators such as farmers, ranchers, loggers, or any other groups or individuals whose NPS activities contribute to the degradation of reservation waters. Cost share programs may be available to help pay for the cost of applying BMPs but farmers and ranchers may be unable to provide matching funds. The 319 programs offer incentives to operators to implement BMPs and in cases of need; Tribal sources may be used to augment the implementation of BMPs.

There are many different sources for best management practices on the Fort Belknap Reservation. Cooperating agencies may also need to develop new BMPs if the current ones do not solve specific problems. Lists of BMP documents suitable for addressing the NPS pollution found on tribal lands are listed in table 1.

5.0 SOURCES OF FEDERAL AND OTHER ASSISTANCE AND FUNDING

A summary of federal, state, and local assistance and funding are listed below. The program descriptions of cooperating agencies and how they relate to the abatement and control of nonpoint source pollution on the Reservation is as follows:

5.5.1 FEDERAL

USDA NATURAL RESOURCE CONSERVATION SERVICE

The Natural Resource Conservation Service (NRCS), formerly the Soil Conservation Services (SCS), is the technical agency responsible for providing technical, financial, and educational assistance to land users in planning and application of soil and water conservation measures. The NRCS works under memoranda of understanding with the soil and water conservation districts. The Tribe and the NRCS have worked cooperatively in the past and the NRCS has provided technical assistance in the development of soil and water conservation plans.

BUREAU OF INDIAN AFFAIRS

The Bureau of Indian Affairs is the government agency that has responsibility for land held in trust by the U.S. Government for Indian Tribes. These responsibilities are set forth in 25 CFR Part 150-250. The BIA will provide technical assistance and resources when possible. When BIA funds are available, the Tribal NPS program can match funds. This allows greater flexibility when trying to fund projects that are expensive to implement because Tribal NPS funding is limited.

INDIAN HEALTH SERVICE

The Indian Health Service (IHS) has the responsibility of providing health services to federally recognized Indian tribes. IHS provides technical expertise and funding resources (when available) to insure sound public and environmental health services. The office of Environmental Health Engineering Department designs and funds rural drinking water systems and wastewater systems for tribal members.

5.2 TRIBAL PROGRAMS

Fort Belknap Natural Resource Department is responsible for land management of tribal original, tribal reserve, sub-marginal, land acquired through the Indian Reorganization Act of 1934, Title 25 U.S.C. 476. The FBNRD governed by several resolutions, which includes Farm Pasture Code, Grazing Ordinance, Law and Order Code, and recently the FBNRD has recently received the Forestry Program to improve timber standing. In all, the FBNRD can assist the NPS program with their staff and expertise in assisting with implementing NPS projects.

Fort Belknap Indian Community Conservation District (FBIC-CD) was formed 1999 by tribal resolution 34-99. A task force was appointed with members from the Fort Belknap ranching and farming community. The USDA officially recognized the FBIC-CD through a Cooperation Working Agreement signed in January of 2000. The FBIC-CD is developing by-laws.

5.3 STATE PROGRAMS

The Montana Salinity Control Association (MSCA) can assist with financial and technical assistance at the request of the FBICC. The MSCA provides with ground water assessments and site-specific reclamation plans with cost sharing.

6.0 AGRICULTURE BEST MANAGEMENT PRACTICES

The following BMPs are selected from USDA Natural Resource Conservation Service (NRCS), formerly Soil Conservation Service (SCS), and Field Office Technical Guide. Some of these practices are currently in use by operators and producers on Tribal lands.

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The proper use and application of the following resource management systems will insure that NPS pollution will be minimized. Additional BMPs may be added for pesticide application, fertilizer management, and stream bank stabilization.

Agricultural Best Management Practices

Practice Name	NRCS Code	Agriculture Subcategory
Access Road	560	5
Bedding	310	5
Channel Vegetation	322	1
Chiseling and Sub soiling	324	5
Clearing and Snagging	326	3
Conservation Cover	327	2
Conservation Cropping Sequence	328	2
Contour Buffer Strips	332	1, 2, 3
Cover and Green Manure Crop	340	2
Critical Area Planting	342	1, 2, 3
Crop Residue Use	344	2
Dam, Floodwater Return	402	3
Dike	356	3
Diversion	362	3
Emergency Tillage	365	5
Farmstead and Feedlot Windbreak	380	1, 2
Fencing	382	1
Field Windbreak	392	2
Filter Strip	393	2
Fire Breaks	394	2
Fish Stream Improvements Forage		
Harvest Management	511	2
Forest Harvest Trails and Landings	655	1
Forest Stand Improvements	666	1
Forest Site Preparation	490	1
Grade Stabilization Structure	410	5
Grassed Waterways	412	5
Grazing Land Mechanical Treatment	548	1
Herbaceous Wind Barriers	422	1
Irrigation Canal or Lateral	320	3
Irrigation Field Ditch	388	3
Irrigation Land Leveling	464	3
Irrigation Pit or Regulating Reservoir	552-A-B	3
Irrigation Storage Reservoir	436	3
Irrigation System		
Trickle	441	3
Sprinkler	442	3

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Surface and Subsurface	443	3
Irrigation System, Tail water Recovery	447	
Irrigation Water Conveyance		
Ditch and Canal Lining	428 A-C	3
Pipeline	430 AA-II	3
Irrigation Water Management	449	3
Land Reclamation "Toxic Discharge"	455	1
Land Reconstruction of Abandoned Mines	543	1
Land Smoothing	446	3
Lined Waterway or Outlet	463	3
Livestock Exclusion	472	1, 2
Mulching	484	1
Nutrient Management	590	2, 3
Pasture and Hay land Management.	510	2
Pasture and Hay land Planting	512	2
Pipe line	516	1, 3
Planning Grazing Systems	556	1
Pond	378	1
Pond Sealing or Lining	521-A-E	1
Prescribed Burning	338	2
Proper Grazing Use	528	1
Pumped Well Drain	532	5
Pumping Plant for Water Control	533	5
Range Seeding	550	1, 2
Residue Management	329	2
Restoration and Management of		
Declining Habitat	643	2
Rock Barrier	555	5
Riparian Forest Buffer	391	1
Runoff Management System	570	5
Sediment Basin	350	5
Shallow Water Management for Wildlife	270	1, 2
Soil Salinity Management	573	2
Spring Development	574	1
Stream bank and Shoreline Protection	580	1, 2, 3
Stream Channel Stabilization	584	1, 2, 3
Strip cropping		
Field	586	2
Wind	589	2
Structure for Water Control	587	3
Subsurface Drain	606	5
Subsurface Drainage		5
Field Ditch	607	3
Trough or Tank	614	1
Vertical Drain	630	5
Waste, Disposal, on Farm		

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Salinity landfill	Interim	5
Waste Management System	312	5
Waste Storage Pond	425	5
Waste Storage Structure	313	5
Waste Treatment Lagoon	359	5
Water Harvesting Catchment	636	5
Water and Sediment Control Basin	638	5
Water spreading	640	3
Well	642	1, 3
Wetland Restoration	657	1, 2
Wildlife Upland Habitat Management	645	1, 2, 3
Wildlife Wetland Management Habitat	644	1, 2, 3
Windbreak Establishment	392	2, 3
Windbreak Renovation	650	5

- Agricultural Subcategories
 1. Rangeland/Grazing/Forestry
 2. Dry land/Pasture/Hay land
 3. Irrigated
 4. Feedlots/Animal Holding
 5. Practice not used on the Fort Belknap Indian Community

Appendix

Categories and subcategories of nonpoint sources that has been designated by EPA and used in this report.

Agricultural

Non-Irrigated crop production
Irrigated crop production
Specialty crop production (e.g., truck, or farming)
Pasturelands
Rangelands
Animal holding/management areas
Stream bank Erosion

Silviculture

Harvesting
Forest management
Road construction/maintenance

FBICC Nonpoint Source Management Plan

Construction

Highway/road/bridges
Land Development
Stream bank erosion

Resource Extraction/Exploration/development

Surface Mining
Subsurface Mining
Stream bank erosion
Mine tailings
Placer Mining
Mill tailings

Land Disposal

Sludge
Wastewater
Landfills
Industrial land treatment
On-site wastewater systems (septic tanks, etc.)
Hazardous Wastes

Hydro modification

Channelization
Dredging
Dam Construction/operation
Flow regulation/modification
Stream bank erosion
Removal of Riparian vegetation
Stream bank modification/destabilization

Other

Athmospheric deposition
Waste storage/storage tank leaks
Highway maintenance and runoff
Spills
In-place contaminates
Natural

SCHEDULE OF ANNUAL MILESTONES AND IMPLEMENTATION

PROPOSED MANAGEMENT STRATEGY

In order to implement an effective, comprehensive nonpoint source management program, all sources of pollution must be addressed in a manner, which provides alternatives and flexibility. This document is designed to present a proposed strategy with flexibility in management and implementation. The goal and tasks outlined can be utilized, altered, and prioritized to protect and restore water quality.

GOAL: Reduce contamination of tribal waters by sediment

TASK: Survey of sediment sources.

The Tribe will initiate a comprehensive survey, which will include mapping the sources of sediment, which are impacting Tribal waters. The survey will focus primarily on identifying erosion problems from historic silviculture operations, agriculture, natural sources, and housing construction. This task will include a prioritized listing for targeting problem areas within the Reservation boundary. The listing will be developed with input from tribal, federal, and other interested agencies.

TASK: Stabilize logging roads.

The Tribe will stabilize abandoned logging roads on tribal lands. Site-specific BMPs will be prescribed after consultation with Bureau of Indian Affairs (BIA) Forestry and USDA Natural Resource Conservation Service (NRCS).

TASK: Stabilize stream banks, lakeshores, and wetlands.

Activities that damage areas along streams, lakes, and wetlands will be addressed if they add sediment to the water body. BMPs will be utilized as they apply to each specific site. The BMPs are listed in the previous section of this document.

TASK: BMPs for construction activities.

The Tribe will prescribe BMPs suitable and appropriate for use in all construction activities on the reservation. The BMPs will address all forms of construction including but not limited to dwellings, community structures, roads, driveways, bridges, and dams. Site-specific BMPs will be prescribed on a case-by-case basis after consultation with appropriate Tribal departments and other government agencies.

GOAL: Reduce contamination of Tribal waters by nutrients

TASK: Feedlot and pastureland waste management along local creeks.

The Tribe will assess pasture and agriculture lands that are near the river and its main tributaries. These agriculture sites add large amounts of animal wastes to the river during runoff events. The Tribe will apply BMPs as they are listed in a previous section of this document with help from the NRCS and any interested agency.

GOAL: Provide protection of groundwater resources

TASK: Protect and monitor new water supply systems.

Individual wells will be designed, permitted, and installed according to all federal and tribal ordinances. High-risk wells will be monitored for coliform and nitrate/nitrite contamination. The Tribe will seek assistance from the IHS, BIA, and the EPA in meeting its goal.

GOAL: Provide for education of Reservation residents.

TASK: Development of educational programs.

The Tribe will develop and implement an educational program to be utilized in the communities and school systems on the reservation. Local radio programming, newspaper articles, community meetings, lectures, and pamphlets will be utilized to address pollution problems. The program will help change attitudes and aid in the implementation of projects that reduce and abate NPS pollution.

IMPLEMENTATION

The implementation of the following schedule depends on the approval by the EPA and also that funding is available pursuant to Section 319 of the Clean Water Act. The Fort Belknap Community Council reserves the right to alter or modify this schedule based on immediate needs and resources available.

NPS IMPLEMENTATION SCHEDULE (Fiscal Year)

<u>ACTIVITY</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>
Survey and mapping of sediment sources	X	X		
Peoples Creek pasture land management	X	X	X	X
Stabilize abandoned logging roads		X	X	X
Stabilize stream banks, lake-shores and wetlands		X	X	X
Stabilize home sites, roads, and driveways		X	X	X
Monitor wastewater systems		X	X	X
Provide education for Reservation members	X	X	X	X
Provide technical assistance and complaint investigation for NPS pollution control	X	X	X	X

ACRONYMES

BMPs	Best Management Practices
BIA	Bureau of Indian Affairs
BLM	Bureau of Land Management
CWA	Clean Water Act
FBEPP	Fort Belknap Environmental Protection Programs
FBICC	Fort Belknap Indian Community Council
FBIC-CD	Fort Belknap Indian Community Conservation District
FBNRD	Fort Belknap Natural Resource Department
IHS	Indian Health Service
MSCA	Montana Salinity Control Association
NRCS	Natural Resource Conservation Service
RBP	Rapid Bio-assessment Protocols
SCS	Soil Conservation Services
USDA	United States Department of Agriculture
USFS	United States Forest Service
WQS	Water Quality Standards